

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

AMPEX CORPORATION,	)	
	)	
Plaintiff,	)	C.A. No. 04-1373 (KAJ)
	)	
v.	)	
	)	
EASTMAN KODAK COMPANY,	)	
ALTEK CORPORATION and	)	
CHINON INDUSTRIES, INC.,	)	
	)	
Defendants.	)	

**LETTER OF REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE  
PURSUANT TO THE HAGUE CONVENTION OF 18 MARCH 1970 ON THE TAKING  
OF EVIDENCE IN CIVIL OR COMMERCIAL MATTERS**

- |    |   |  |
|----|---|--|
| 1. | Sender                                      | Honorable Kent A. Jordan<br>United States District Court Judge<br>U.S. District Court for the District of Delaware<br>J. Caleb Boggs Federal Building<br>Room 6325, Lockbox 10<br>844 N. King Street<br>Wilmington, DE 19801 USA |
| 2. | Central Authority of the<br>Requested State | Senior Master of the Supreme Court<br>Royal Courts of Justice<br>Strand<br>London WC2A 2LL<br>England, UNITED KINGDOM  |

3. Person to whom the executed Request is to be returned  
Honorable Kent A. Jordan  
United States District Court Judge  
U.S. District Court for the District of Delaware  
J. Caleb Boggs Federal Building  
Room 6325, Lockbox 10  
844 N. King Street  
Wilmington, DE 19801 USA
4. The United States District Court for the District of Delaware presents its compliments to Her Majesty's Principal Secretary of State for Foreign Affairs and the Senior Master of the Supreme Court, Royal Courts of Justice. In conformity with Article 3 of the Hague Convention, the undersigned applicant has the honor to submit the following request in the interest of justice:
5.
  - a. Requesting judicial authority (Article 3(a))  
United States District Court for the District of Delaware  
J. Caleb Boggs Federal Building  
844 N. King Street  
Wilmington, DE 19801
  - b. To the competent authority of (Article 3(a))  
The United Kingdom
6. Names and addresses of the parties and their representatives (Article 3(b))
  - A. Plaintiff:  
Ampex Corporation  
1228 Douglas Ave  
Redwood City, CA 94063-3117 USA
  - Represented by:  
Jesse J. Jenner  
Sasha Rao  
Ropes & Gray LLP  
1251 Ave of the Americas  
New York, NY 10020 USA  
  
Norman H. Beamer  
Gabrielle E. Higgins  
Ropes & Gray LLP  
525 University Avenue  
Palo Alto, CA 94301 USA

James E. Hopenfeld  
Ropes & Gray LLP  
One Metro Center  
700 12<sup>th</sup> Street, NW  
Washington, DC 20005 USA

B. Defendants: Eastman Kodak Company  
343 State Street  
Rochester, NY 14650-0001 USA

Chinon Industries, Inc.  
23 11 Naka Oshio  
Chino City, Nagano 391 0293, Japan

Altek Corporation  
3F, No. 10  
Li-Hsin Road Science-Based Industrial Park  
Hsinchu, Taiwan

Represented by: William P. DiSalvatore  
S. Calvin Walden  
Wilmer Cutler Pickering Hale and Dorr LLP  
399 Park Avenue  
New York, NY 10022 USA

William F. Lee  
Michael J. Summerhill  
Wilmer Cutler Pickering Hale and Dorr LLP  
60 State Street  
Boston, MA 02109 USA

7. Nature and purpose of the proceedings and summary of the facts (Article 3(c))

This is a civil proceeding in which Plaintiff Ampex Corporation (“Ampex”) seeks relief with respect to Defendants Eastman Kodak Company (“Kodak”), Chinon Industries, Inc. (“Chinon”), and Altek Corporation (“Altek”) (collectively, “Defendants”) alleged infringement of United States Patent No. 4,821,121, issued on the 11th of April, 1989 (“the patent-in-suit”).

The patent-in-suit is directed to methods and apparatus for storing and retrieving full-size and corresponding reduced-size images. The patent-in-suit discloses and claims the automatic storage of a corresponding reduced size image for each full size image that is captured and stored, thereby allowing, during a browse mode, the automatic high speed retrieval of a mosaic of reduced size images for purposes of review and retrieval of the stored full size images. The patent-in-suit is assigned to Ampex.

Pursuant to the patent laws of the United States (35 U.S.C. § 100 *et. seq.*), on October 21, 2004, Ampex initiated a lawsuit against Defendants for their infringement of the patent-in-suit. Defendants have denied the claim of infringement and have counterclaimed that the patent-in-suit is not infringed, and is invalid and unenforceable. Trial date of this proceeding is set to commence December 4, 2006.

The relevance of the requested documents to this proceeding is set forth in Annex A, which is attached hereto.

8. Documents or other property, real or personal, to be inspected (Article 3(g))

If permitted by the Court, it is respectfully requested that Quantel Limited (“Quantel”) produce documents for inspection and copying. A list of documents that are requested to be produced for inspection and copying is set forth in Annex B, which is attached hereto.

9. Request for notification of the time and place for the execution of the Request and identity and address of any person to be notified (Article 7) It is respectfully requested that you please inform the legal representatives identified in 6A and 6B above.
10. Specification of privilege or duty to give evidence under the law of the state of origin (Article 11(b)) Any privilege or duties to refuse to give evidence under the law of the state of origin are contained in the United States Federal Rules of Evidence and other applicable United States laws.
11. The fees and costs incurred which are reimbursable under the second paragraph of article 14 or under article 25 of the Convention will be borne by Ropes & Gray LLP  
1251 Avenue of the Americas  
New York, NY 10020 USA
12. The United States District Court for the District of Delaware expresses its appreciation to Her Majesty's Principal Secretary of State for Foreign Affairs and the Senior Master of the Supreme Court, Royal Courts of Justice for their courtesy and assistance in this matter. The United States District Court for the District of Delaware shall be ready and willing to assist the courts of the United Kingdom in a similar manner when required.
13. Date of request \_\_\_\_\_
14. Signature and seal of the requesting authority \_\_\_\_\_  
The Honorable Kent A. Jordan  
United States District Court Judge

MORRIS, NICHOLS, ARSHT & TUNNELL

/s/ Julia Heaney (#3052)

Jack B. Blumenfeld (#1014)

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December 9, 2005

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